

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SHELDON P. JOHNSON,

Plaintiff,

- against -

C.O. CLINTON THOMAS, C.O. CEASAR GONZALEZ,  
SGT. THOMAS KNIGHT, C.O. THOMAS MOLLOY, C.O.  
V. MARISCO, C.O. JASMIN SOTO, C.O. SHERYL DAVIS,  
C.O. JESSICA REYES, FORMER DEPUTY  
SUPERINTENDENT OF HEALTH LATISHA JACKSON,  
DEPUTY SUPERINTENDENT OF ADMINISTRATION  
ALBERT HELMS, FORMER SUPERINTENDENT  
MICHAEL CAPRA, SENIOR OFFENDER  
REHABILITATION COUNSELOR MS. J. MANUEL,  
NURSE PRACTITIONER SHIBI KACHAPPILY, DR.  
FELIX EZEKWE, DR. FREDERICK PARKER, DR. RAZIA  
FERDOUS, CORRECTIONAL SGT. MARK LARSEN,

**ORDER OF SERVICE**

No. 24-CV-7639 (CS)

Defendants.  
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CATHY SEIBEL, United States District Judge:

Plaintiff Sheldon P. Johnson, who is currently detained at Riker's Island Correctional Facility, filed this civil rights complaint *pro se* under 42 U.S.C. § 1983 on October 3, 2024, alleging that Defendants violated his rights while he was incarcerated at Sing Sing Correctional Facility. (ECF No. 1.) By Order dated October 17, 2024, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees. (ECF No. 5.) On November 11, 2024, the Court issued an Order of Service, instructing the Clerk of Court to issue a summons for Defendants Clinton Thomas, Ceasar Gonzalez, T. Knight, T. Molloy, Latisha

Johnson,<sup>1</sup> Albert Helms, J. Manuel, Dr. Kachappilly, Dr. Felix Ezekwe, Dr. Frederick Parker, and Dr. Razia Ferdous. (ECF No. 7.) The Court also ordered the Attorney General to provide a service address for Defendant Michael Capra and identify four John Does named in Plaintiff's Complaint. (*Id.*) The Clerk issued the summons for Thomas, Gonzalez, Knight, Molloy, Johnson, Helms, Manuel, Kachappilly, Ezekwe, Parker, and Ferdous on December 9, 2024, (ECF No. 8), and issued a summons for Capra after the Attorney General provided his service address and the Court issued an order of service for him, (ECF Nos. 12, 14, 15). To date, only Capra has been served. (ECF No. 20.)

On March 21, 2025, the New York State Attorney General provided the names and addresses of three of the four John Does: C.O. Jasmin Soto, C.O. Sheryl Davis, and C.O. Jessica Reyes. (ECF No. 23.) The Attorney General was unable to identify John Doe #1. (ECF No. 31.) Plaintiff, however, was able to identify him as C.O. V. Marsico. (ECF No. 32.) On May 2, 2025, the Court granted Plaintiff permission to amend his Complaint to add Correctional Sergeant Mark Larsen as a defendant, in addition to Soto, Davis, Reyes, and Marsico. (*Id.*) Plaintiff then filed his Amended Complaint on June 11, 2025. (ECF No. 33 ("AC").)

### DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on assistance from the Court and the U.S. Marshals Service to effect service.<sup>2</sup> *See Walker v. Schult*,

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<sup>1</sup> The Court erroneously instructed the Clerk of Court to issue a summons for Latisha Johnson, rather than Latisha Jackson, as named in the Complaint. To remedy this error, the Court now orders the Clerk to issue a summons for Latisha Jackson.

<sup>2</sup> Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the AC and ordered that a summons be issued. The Court therefore extends the time to serve until 90 days after the summons is issued.

717 F.3d 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on C.O. Jasmin Soto, C.O. Sheryl Davis, C.O. Jessica Reyes, C.O. V. Marsico, Correctional Sergeant Mark Larsen, and Latisha Jackson through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for each of these defendants. The Clerk of Court is further instructed to issue a summons and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon each of these defendants.

If the AC is not served within 90 days after the date summons is issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.


### **CONCLUSION**

The Clerk of Court is instructed to issue a summons for Defendants C.O. Jasmin Soto, C.O. Sheryl Davis, C.O. Jessica Reyes, C.O. V. Marsico, Correctional Sergeant Mark Larsen, and Latisha Jackson, complete the USM-285 form with the address for each of these defendants, and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Clerk of Court is directed to mail a copy of this order to Plaintiff, together with an information package.

**SO ORDERED.**

Dated: June 13, 2025  
White Plains, New York



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CATHY SEIBEL, U.S.D.J.

**SERVICE ADDRESS FOR EACH DEFENDANT**

1. C.O. Jasmin Soto, #37923  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, NY 10562-5442
2. C.O. Sheryl Davis, #35619  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, NY 10562-5442
3. C.O. Jessica Reyes, #58410  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, NY 10562-5442
4. C.O. V. Marsico  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, NY 10562-5442
5. Correctional Sgt. Mark Larsen  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, NY 10562-5442
6. Latisha Jackson  
Fishkill Correctional Facility  
18 Strack Drive  
Beacon, NY 12508